

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

KEARNEY CONSTRUCTION
COMPANY, LLC,

Plaintiff,

v.

Case No: 8:09-cv-1850-T-30TBM

TRAVELERS CASUALTY AND
SURETY COMPANY OF AMERICA,
FLORIDA SOIL CEMENT, LLC,
FLORIDA TRUCKING CO., INC.,
ALAN PAYNE and BRIAN W. SEEGER,

Defendants.

ORDER

THIS CAUSE came on for consideration upon the Report and Recommendation submitted by Magistrate Judge Thomas B. McCoun III (Dkt. #711) and the Objection (Dkt. #718) filed thereto.

After careful consideration of the Report and Recommendation of the Magistrate Judge, the Objection, and in conjunction with an independent examination of the file, the Court is of the opinion that the Magistrate Judge's Report and Recommendation should be adopted, confirmed, and approved in all respects.

ACCORDINGLY, it is therefore, **ORDERED AND ADJUDGED**:

1. The Report and Recommendation (Dkt. #711) of the Magistrate Judge is adopted, confirmed, and approved in all respects and is made a part of this order for all purposes, including appellate review.

2. Travelers' Motion for Summary Judgment in Garnishment Overruling Exemption and Joint Account (Dkt. #628) is GRANTED in part and DENIED in part.

3. Travelers' Motion for Summary Judgment in Garnishment as to Claims of FTBB, LLC, and Moose Investments of Tampa, LLC (Dkt. #643) is GRANTED in part and DENIED in part.

4. Interested Parties' Motion for Summary Judgment (Dkt. #634) is DENIED.

5. FTBB, LLC's Motion for Summary Judgment (Dkt. #644) is DENIED.

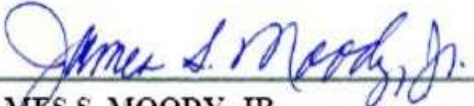
6. Bing Charles W. Kearney's Motion for Summary Judgment (Dkt. #645) is DENIED.

7. Moose Investments and FTBB's Motion to Dissolve Second Writ of Garnishment (Dkt. #595) is DENIED.

8. Bing Charles W. Kearney's Motion to Dissolve Second Writ of Garnishment (Dkt. #596) is DENIED; and

9. Interested Parties' Motion to Dissolve Second Writ of Garnishment (Dkt. #597) is DENIED.

DONE and **ORDERED** in Tampa, Florida, this 8th day of April, 2016.



JAMES S. MOODY, JR.
UNITED STATES DISTRICT JUDGE

Copies Furnished To:
Counsel/Parties of Record

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